

Comments

The Examiner has allowed claims 1-5, objected to claims 7, 12 and 13. Claims 6, 8-11, 14 and 15 have been rejected. Applicant appreciates the allowance of claims 1-5 and respectfully traverses the Examiner's rejections. Claims 6 and 11 have been amended and it is not believed that the claims as amended are anticipated and/or rendered obvious by any of the art cited by the Examiner. Claims 6 and 11 were rejected pursuant to 35 U.S.C. § 102(b) as anticipated by U. S. Patent 4,175,619 to Davis (the Davis patent) and claims 8, 9, 10, 14 and 15 were rejected pursuant to 35 U.S.C. § 103 as being unpatentable over Davis in view of secondary prior art including U. S. Patent 6,708,768 to Slup et al., and U. S. Patent 3,332,499 to Harris et al. The Examiner refers to element 10 as an outer sleeve and element 13 as an inner sleeve which is comprised of a durable compound with aggregate material dispersed therein. Claims 6 and 11 require that the aggregate material protrude from an inner surface and that a cementing plug be received in the inner sleeve or in a passage defined by the inner sleeve. Davis does not disclose such a configuration. Rather, Davis is directed specifically to a combination in which the bottom of a pump-down plug engages the top of a shoe wherein the shoe has a protrusion or tooth-like means which will penetrate the plug. (Column 3, lines 12-20). Thus, the cement tube 13 cannot be compared to the inner sleeve of the inventions defined by claims 6 and 11 since both of those claims include limitations that require aggregate material to protrude from an inner surface of the inner sleeve and further require that the cementing plug be received in and engaged by the inner sleeve. Davis does not disclose an inner sleeve in which a cementing sleeve can be received nor does it disclose an inner sleeve which has aggregate material protruding from an inner surface thereof.

Because Davis does not disclose the limitations of claims 6 or 11, those claims should be allowed. Likewise, the Examiner's 103 rejections based on combinations of Davis and other art should be withdrawn since none of those references disclose the limitations of claims 6 and 11.

Conclusion

Accordingly and for the foregoing reasons, Applicant respectfully requests reconsideration along with an early indication of the allowance of claims 6-15 along with the previously allowed claims 1-5.

Respectfully submitted,



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